

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

v.

SARAH STROMMEN, in her official capacity as Commissioner of the Minnesota Department of Natural Resources,

Defendant.

Case No. 0:20-cv-02554-ECT-BRT

**STIPULATION FOR EXTENSION OF
TIME TO RESPOND TO COMPLAINT
AND PROPOSED BRIEFING
SCHEDULE**

WHEREAS, Plaintiff Center for Biological Diversity filed a Complaint (ECF 1) on December 17, 2020;

WHEREAS, under Fed. R. Civ. P. 4(d), Defendant Sarah Strommen, in her official capacity as the Commissioner of the Minnesota Department of Natural Resources, executed a waiver of the service of the summons on January 20, 2021 (ECF 4);

WHEREAS, under Fed. R. Civ. P. 4(d)(3), the deadline for Defendant to answer or otherwise respond to the Complaint is March 22, 2021;

WHEREAS, the Defendant anticipates filing a motion to dismiss the Complaint;

WHEREAS, under Fed. R. Civ. P. 6(b), Plaintiff and Defendant, through their undersigned counsel, agree that there is good cause to extend the deadline for Defendant to file a motion to dismiss the Complaint to April 2, 2021;

WHEREAS, under Fed. R. Civ. P. 6(b) and Local Rule 7.1(c), Plaintiff and Defendant, through their undersigned counsel, agree that there is good cause to adopt the following briefing schedule on the Defendant's anticipated motion to dismiss:

- Defendant's motion and supporting documents: April 2, 2021
- Plaintiff's response and supporting documents : May 4, 2021
- Defendant's reply: May 25, 2021

WHEREAS, in compliance with Local Rule 7.1(c) and Judge Tostrud's practice pointers,

Defendant will obtain a hearing date shortly before filing their motion papers;

WHEREAS, the reason for the requested extensions are overlapping litigation deadlines for counsel for the undersigned parties;

WHEREAS, by entering into this stipulation, Plaintiffs and Defendant further agree that Defendant preserves, and nothing in this stipulation shall be deemed to waive, any and all defenses that may be asserted in this matter;

NOW, THEREFORE, the parties respectfully request that the Court enter the Proposed Order submitted with this stipulation and extend the deadline for Defendant to answer or otherwise respond to the complaint to April 2, 2021, and adopt the briefing schedule proposed in this stipulation.

Respectfully submitted this day of March 1, 2021,

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